

08/067/40

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT:** Koichiro Horii  
**SERIAL NO.:**  
**FILED:** HEREWITH  
**PATENT NO.:**  
**ENTITLED:** ELECTRONIC ENDOSCOPE

**ATTORNEY**  
**DOCKET NO.:** HORI-101AX  
**EXAMINER:**  
**GROUP NO.:**  
**ISSUED:**

**VERIFIED STATEMENT AS SMALL ENTITY**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

**THE UNDERSIGNED DECLARE(S):**

Exclusive rights in the above-identified invention reside in the "small entity(ies)" defined and named below, and "small entity" fees are appropriate. Qualification as a small entity is based upon the appropriately checked statements below:

**☒ INDEPENDENT INVENTOR(S)**

The below-signing independent inventor(s) has (have) not assigned, granted, conveyed or licensed, and is (are) under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not likewise be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

**☐ SMALL BUSINESS CONCERN**

The below-identified small business concern qualifies as a small business as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, in that the number of employees, including those of its affiliates, which does not exceed 500 persons, and it has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party controls or has the power to control both. The number of employees of the business concern is the average over the fiscal year of the persons employed during each of the pay periods of the fiscal year. Employees are those persons employed on a full-time, part-time or temporary basis during the previous fiscal year of the concern.



☐ **NONPROFIT ORGANIZATION** (Check additional applicable box.)

The below-identified nonprofit organization qualifies as a small entity under 37 CFR 1.9(e) in that it constitutes:

1. ☐ a university or other institution of higher education located in any country; or
2. ☐ an organization of the type described in Section 501(c)(3) of the Internal Revenue Code of 1954 (26 USC 501(c)(3)) and exempt from taxation under Section 501(a) of the Internal Revenue Code (26 USC 501(a)); or
3. ☐ any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of the United States (35 USC 201(i)); or
4. ☐ any nonprofit organization located in a foreign country which would qualify as a nonprofit organization under paragraphs (e)(2) or (3) of Rule 1.9 if it were located in the United States.

The undersigned acknowledge(s) the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

The below-signing individual(s) hereby declare(s) that (he, she, they) are authorized to execute this statement on behalf of the small entity; that all statements made herein of (his, her, their) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Small Entity: (Independent Inventor) Koichiro Hori	
Address of Small Entity: (Street, City, State or Country, Zip Code) 24 Parker Road, Framingham, Massachusetts 01701	
Name of Person Signing: (Small Business) Koichiro Hori	
Title of Person Signing: (Small Business/Nonprofit) N/A	
Signature: (Please sign and date in permanent ink.) X <i>Koichiro Hori</i>	Date signed: X 5.22.93

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DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ELECTRONIC ENDOSCOPE

the specification of which (check one):

[X] is attached hereto. [ ] was filed \_\_\_\_\_ as Serial No. \_\_\_\_\_; amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>		<u>Date Filed</u>	<u>Priority Claimed</u>	
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year)</u>	[ ] Yes	[ ] No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year)</u>	[ ] Yes	[ ] No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year)</u>	[ ] Yes	[ ] No

I hereby claim the benefit under Title 35 USC 120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 USC 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>07/967,996</u> (Application Serial No.)	<u>10/28/92</u> (Filing Date)	<u>Pending</u> (Patented/pending/abandoned)
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Patented/pending/abandoned)
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Patented/pending/abandoned)

Attorney

Docket No.: HORI-101AX

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business connected therewith in the Patent and Trademark Office, and to file with the USRO any International Application based thereon.

(4) Stanley M. Schurgin, Reg. No. 20,979  
Charles L. Gagnebin III, Reg. No. 25,467

Victor B. Lebovici, Reg. No. 30,864  
Paul J. Hayes, Reg. No. 28,307

Address all correspondence to:

WEINGARTEN, SCHURGIN, GAGNEBIN & HAYES

Ten Post Office Square

Boston, Massachusetts 02109

Telephone: (617) 542-2290

Telecopier: (617) 451-0313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole Inventor:		
10 Koichiro Hori		
City of Residence	State or Country	Country of Citizenship
Framingham MA	Massachusetts	Japan
Post Office Address	City	State or Country Zip Code
24 Parker Road	Framingham	Massachusetts 01701
Signature: (Please sign and date in permanent ink.)		Date signed:
X Koichiro Hori		X 5.22.93